

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

In re:

**"AGENT ORANGE"  
PRODUCT LIABILITY LITIGATION**

BRUCE SUBER, *et al.*,

Plaintiffs,

-against-

DOW CHEMICAL COMPANY, *et al.*,

Defendants.

MDL No. 381

1: 06 CV 00462 (JBW)

**JUDGMENT**

Upon consideration of all pleadings, motions and proceedings and the full record in MDL No. 381 and in the above-captioned action, and for the reasons stated in the opinions of the Court of Appeals at 517 F.3d 76 (2d Cir. 2008) and 517 F.3d 129 (2d Cir. 2008), affirming the Court's granting of summary judgment based on its orders dated February 9, 2004:

**IT IS ORDERED AND ADJUDGED THAT:**

1. Defendants The Dow Chemical Company, Monsanto Company, Pharmacia Corporation, Solutia, Inc., Hercules, Incorporated, Thompson Hayward Chemical Co., T-H Agriculture & Nutrition Company., Occidental Petroleum Corporation, Occidental Chemical Corp., Uniroyal, Inc., C.D.U. Holding, Inc., Uniroyal Chemical Company, Harcros Chemical Inc., Ultramar Diamond Shamrock Corporation, Maxus Energy Corp., Tierra Solutions Inc., and Chemical Land Holdings, Inc. shall have judgment against

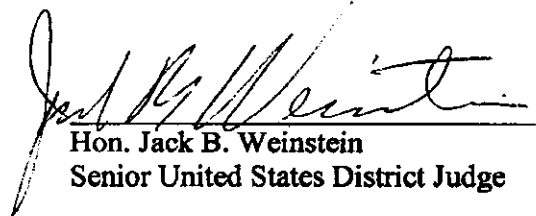
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Plaintiffs Bruce Suber and Fanita Suber, Bobby D. Halliburton, Manuel E. Azevedo, Kenneth Catron, Cloyd Chaney, Jerome Lawson, Andrew Stinnett, Kenneth Harp, Terry Greenwell, William Jencks, Lynne Payne, James Wilkinson, Robert Hair, Billy S. Ormand, Bruce Baker, William Webb and Anita Webb, Harry Masters and Leuera Masters, Jefferson T. Creviston, III and Jane A. Creviston, Robert L. King and Martha J. King, John Brozovich and Judy Bieber-Brozovich, Larrie Douglas and Nancy H. Douglas, Keith E. Argerbright and Cheryl E. Argerbright, Gerald R. Corbin and Naomi C. Corbin, John Bradberry and Dorothy Bradberry, Lawrence C. Lookenbill and Francoise Lookenbill, Eugene F. Watson and Delores Palmore Watson, James Choate and Geraldine Choate, Paul W. Cosma and Mary Cosma, Norbert E. Regelin and Betty Regelin, Patrick Garvin and Sandra Garvin, Mitchell Davidson and Linda K. Davidson, Thomas Steeves and Gail U. Steeves, Henry Dotson, Jr. and Judith Dotson, Benjamin Acevedo and Teresa Rivera, David Greer and Kathleen Greer, Robert Mascarella and Geraldine Mascarella, John Walker and Alina Walker, Norman Roberts and M. Katherine Roberts, Douglas DeWolfe and Belinda Gail DeWolfe, David Jute and Judith Jute, Charles Austin and Hilda V. Austin, Demetrius Anderson and Bernice Anderson, Earl Taylor and Brigitte Taylor, Dennis Guinta and Joanna Guinta, Fred Martinez and Linda

Martinez, Kenneth Simpson and Lura Simpson, Pedro Mendez and Anita Mendez, Robert Martin and Rosemarie Martin, William R. Graham and Sandra Graham, Clifford Savell and Rustica Savell, Dearl Dixon and Joy Dixon, Joseph Shamonsky and Shirley Shamonsky, Mary Ann Brewer, Survivor of William Brewer, Judy MacLeod, Survivor of Douglas Macleod, Nellie Stevens, Survivor of Robert Stevens, Shirley Cole, Survivor of Blair Cole, Lois Abney, Survivor of Floyd Abney, Promila Walker, Survivor of Samuel Walker;

2. The action is dismissed on the merits; and
3. No costs or disbursements are awarded to any party against any other party.

Dated: Brooklyn, N.Y.  
August 14, 2009



Hon. Jack B. Weinstein  
Senior United States District Judge